



PLANNING COMMISSION AGENDA

ROJELIO VASQUEZ, Chair

Commission Members
HAL KISSLER, Vice Chair
LORI CHERRY
NAT DIBUDUO
JAIME HOLT
SEROP TOROSSIAN
CHARLES VANG

Planning and Development
Director/Secretary
NICK P. YOVINO

Deputy City Attorney
JOHN W. FOX

The Planning Commission welcomes you to this meeting.

May 3, 2006

Wednesday

6:00 p.m. to 9:30 p.m.

COUNCIL CHAMBER

2600 FRESNO STREET

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development staff at 559-621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those in attendance at the Planning Commission meeting.

- I. **ROLL CALL**
- II. **PLEDGE OF ALLEGIANCE**
- III. **PROCEDURES**

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all public testimony from those in support and in opposition of the project will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating that time has expired.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

IV. AGENDA APPROVAL

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

V. CONSENT CALENDAR

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

A. Minutes – Meeting Minutes of October 20, 2004, and March 15, 2006

B. Communications

C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

- A. Consideration of an appeal of the action of the Planning and Development Director approving Conditional Use Permit Application No. C-05-264, and environmental findings, filed by Harsharan Singh, pertaining to approximately 1.26 acres located on the southeast corner of West Shields and North Fruit Avenues (425 West Shields Avenue). ***(Continued from meeting of April 19, 2006.)***
 - 1. Environmental Assessment No. C-05-264, determination of Initial Study to file a Categorical Exemption from the requirements of the California Environmental Quality Act.
 - 2. Conditional Use Permit Application No. C-05-264 proposes an upgrade from the current State of California Alcoholic Beverage Control (ABC) license of off-sale beer and wine (Type 20) to an ABC license for the off-sale of beer, wine, and distilled spirits (hard liquor) (Type 21) at an existing food market.
 - Tower District Specific Plan
 - Fresno High-Roeding Community Plan Area
 - Council District 1 (Councilmember Boyajian)
 - Staff Member: Mikeal Chico
 - Staff Recommendation: Deny the Appeal; Uphold Director's Action of Approval
 - May be considered by City Council

VIII. NEW MATTERS

- A. Consideration of Rezone Application No. R-05-63, Tentative Tract Map No. 5564/UGM, and Conditional Use Permit Application No. C-06-19, and environmental findings, filed by George Goddard, pertaining to approximately 2.62 acres of property located on the south side of East Powers Avenue between North Cedar and North Maple Avenues.
1. Environmental Assessment No. R-05-63/T-5564/C-06-19, determination of Initial Study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-05-63 proposes to rezone the subject property from the AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the R-1-C/UGM (*Single Family Residential/Urban Growth Management*) zone district.
 3. Tentative Tract Map No. 5564/UGM proposes to subdivide the subject property into a 6-lot single family residential subdivision.
 4. Conditional Use Permit Application No. C-06-19 proposes the establishment of a nonclustered planned development with a private street access.
 - Woodward Park Community Plan
 - Council District 6 (Councilmember Duncan)
 - Staff Member: Will Tackett
 - Staff Recommendation: Recommend Approval of the Rezone Application;
Approve the Tentative Tract Map and Conditional Use Permit Application
 - Will be considered by the City Council (Rezone Application only)
- B. Consideration of Vesting Tentative Tract Map No. 5557/UGM, Site Plan Review Application No. S-06-38, and environmental findings, filed by Harbour and Associates on behalf of Fazio-Williams Investors, Inc., pertaining to approximately 1.9 acres of property located on the west side of North Polk Avenue between West Shaw and West Santa Ana Avenues.
1. Environmental Assessment No. T-5557/S-06-38, determination of Initial Study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
 2. Vesting Tentative Tract Map No. 5557/UGM proposes to subdivide the subject property into a 5-lot multiple family residential planned development with one outlot for private street access and common open space.
 3. Site Plan Review Application No. S-06-38 proposes to add property lines for the 20-unit multiple family project that was previously approved for the site (Site Plan Review No. S-04-272) in order to accommodate the design of the proposed subdivision.
 - West Area Community Plan
 - Council District 2 (Councilmember Calhoun)
 - Staff Member: Shelby Chamberlain
 - Staff Recommendation: Approval
 - May be considered by the City Council

VIII. NEW MATTERS (Continued)

- C. Consideration of Rezone Application No. R-05-112, Tentative Tract Map No. 5638/UGM, and Conditional Use Permit Application No. C-05-291, and environmental findings, filed by Centex Homes on behalf of the Simonian Family Trust, Gary and Elaine Simonian, and Parga Partners Limited Partnership, pertaining to 77 acres of property located on the northwest corner of South Armstrong and East Church Avenues.
1. Environmental Assessment No. R-05-112/T-5638/C-05-291, determination of Initial Study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-05-112 proposes to rezone the subject property from the AL-20 (*Limited Twenty Acre Agricultural, County of Fresno*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district for 61 acres and R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district for 16 acres.
 3. Tentative Tract Map No. 5638/UGM proposes to subdivide the subject property into a 355-lot single family residential planned development subdivision.
 4. Conditional Use Permit Application No. C-05-291 proposes a planned development for 97 of the proposed 355 lots, with reduced lot sizes, setbacks, increased lot coverage and private streets that will include gates.
 - Roosevelt Community Plan
 - Council District 5 (Councilmember Dages)
 - Staff Member: Arnoldo Rodriguez
 - Staff Recommendation: Recommend Approval of the Rezone Application;
Approve the Tentative Tract Map and Conditional Use Permit Application
 - Will be considered by the City Council (Rezone Application only)

VIII. NEW MATTERS (Continued)

D. Consideration of Rezone Application No. R-05-81, Conditional Use Permit Application No. C-05-16, and environmental findings, filed by DeWayne Zinkin, pertaining to approximately 40 acres of property located between North Fresno Street, North Friant Road, East Audubon Drive and East Cole Avenue (Fresno 40 Project).

1. Environmental Assessment No. R-05-81/C-05-216, determination of Initial Study to file a Mitigated Negative Declaration.
2. Rezone Application No. R-05-81 proposes to rezone the subject property from the R-P/UGM/cz (*Residential and Professional Office/Urban Growth Management/conditions of zoning*), C-P/UGM/cz (*Administrative and Professional Office/Urban Growth Management/conditions of zoning*), and C-2/UGM/cz (*Community Shopping Center/Urban Growth Management/conditions of zoning*) zone districts to the R-P/UGM/cz (*Residential and Professional Office/Urban Growth Management/conditions of zoning*), C-P/UGM/cz (*Administrative and Professional Office/Urban Growth Management/conditions of zoning*), and C-2/UGM/cz (*Community Shopping Center/Urban Growth Management/conditions of zoning*) zone districts **to change a condition of zoning to allow for a second point of access from the subject property to Friant Road.**
3. Conditional Use Permit Application No. C-05-216 proposes to allow for the development of 24 multiple-family residential units, 212,050 square feet of retail commercial uses, and 278,200 square feet of office commercial uses on the subject property. The project also includes an alternative plan, which proposes 48 multiple-family residential units.
 - Woodward Park Community Plan
 - Council District 6 (Councilmember Duncan)
 - Staff Member: David Braun
 - Staff Recommendation: Recommend Approval of the Rezone Application;
Approve the Conditional Use Permit Application
 - Will be considered by the City Council (Rezone Application only)

IX. REPORT FROM SECRETARY

X. UNSCHEDULED ORAL COMMUNICATIONS

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

XI. ADJOURNMENT